Reply to Notice of Non-compliant Amendment dated October 31, 2005

Application Serial No. 10/038,264

Amendment dated November 28, 2005

Remarks/Arguments

The present amendment is made in response to the Office Action dated October 31, 2005.

Claims 1 – 10 are cancelled; claims 11 – 14 are withdrawn, claims 15 -16 are cancelled, claim 17

is noted as withdrawn currently amended; claims 18 - 23 are noted withdrawn; and claim 24

previously presented.

The Notice of Non-compliance was made in error. The claims which were required to be

noted as "withdrawn-currently amended" were never withdrawn by Applicant, nor were they

supposed to be. Instead, the Examiner erroneously concluded that they did not read on the

elected invention – a point which was specifically addressed in the Applicant's prior

Amendment. In the prior Amendment, Applicant amended claims 17-23 to clarify that they were

intended and designed to read directly on the elected invention and did not consent to the

Examiner's unilateral withdrawal of the claims in the prior Office Action.

In view of the foregoing amendments, the Examiner's reconsideration and allowance of

the present application is believed to be in order. If the Examiner believes a phone conference

with Applicant's attorney would expedite prosecution of this application, please contact the

undersigned at (315) 218-8515.

Respectfully submitted,

Dated: November 28, 2005

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